

Purpose

To establish an orderly process to protect the Utah Department of Transportation and the Federal Highway Administration from the potential liability occurring from the purchase of contaminated properties.

Policy

In order to reduce or eliminate liability and to minimize contamination the Utah Department of Transportation will conduct an investigation for the purpose of determining the existence of hazardous wastes within the proposed right-of-way take.

Procedures

Hazardous Waste Determination

UDOT 08A2-3.1

Responsibility: Chief Environmental Engineer

Actions

1. Provides initial training in Hazardous Waste Awareness, with periodic refresher courses for the Region Preconstruction Engineer, Project Managers, and staff.

Responsibility: Project Manager

2. Performs an initial site assessment of the proposed right-of-way acquisition for signs of hazardous waste.
3. Determines land use history from personal knowledge, from interviews with land owners, neighbors of the land owner, or other sources.
4. Checks adjacent properties against the Potential Hazardous Waste Generators list.
5. Upon reasonable certainty that hazardous wastes are not present, provides a statement for inclusion in the Environmental Document that there is apparently no potential for hazardous waste contamination within proposed right-of-way take and adjacent properties. Related documentation is retained in the project file.
6. In cases where the presence of hazardous waste of petroleum spills are known or suspected, provides a preliminary site investigation to the Region Preconstruction Engineer explaining the reasons hazardous wastes are suspected. Include plan sheet or maps detailing the proposed right-of-way take and extent of contamination.
7. Coordinates with the and the Risk Management Unit to determine the nature and scope of the detailed site investigation to take place.
8. Selects a consultant from the UDOT Consultant Pool.
9. Completes Consultant Services Work Task Order requesting a detailed site investigation of the suspected contamination.

Responsibility: Consultant

10. Performs detailed site investigation.
11. Provides a report detailing findings, and if applicable, recommend remediation plan including estimated costs, and makes all notifications and reports required by State and Federal regulations, with copies of all applicable reports and notifications to the Project Manager.

Responsibility: Project Manager

12. If the report demonstrates no presence of hazardous waste, proceed with the project. Include report results in the Environmental Document, and retain the report in the project file.
13. If hazardous wastes are present, provide a letter, with report attached, outlining recommendations for the continuation or termination of the proposed project, directed to the appropriate decision makers.